

district court a libel praying seizure and condemnation of 83 packages of Pinolator Treatment at Columbus, Ohio; alleging that the article had been shipped in interstate commerce on or about November 11, 1937, from Minneapolis, Minn., by the Pinolator Co.; and charging misbranding in violation of the Food and Drugs Act as amended.

The treatment consisted of a vaporizing apparatus and a bottle of liquid labeled "Pinolator Aromatic." The latter consisted of small proportions of benzoic acid, volatile oils (including pine-needle oil, peppermint oil, thymol, and camphor), and acetone, colored with a green dye.

Misbranding was alleged in that the following statements appearing in the labeling falsely and fraudulently represented the curative and therapeutic effectiveness of the article: (Bottle label) "Relieves Sinusitis * * * Hay Fever quickly"; (carton) "The Pinolator Treatment is indicated in Sinus Pains, Hay Fever * * * Asthma, Croup, Bronchial Infections and Pneumonia"; (circular) "How to use the glass tube For throat trouble, tonsillitis, laryngitis, bronchitis and asthma use * * * a valuable aid in easing the breathing in pneumonia. It is unsurpassed as an emergency treatment for croup in children old enough to use it." Misbranding was alleged further in that the diagram representing the anatomy of the upper respiratory passages and the sinuses connected therewith, appearing in the circular entitled "The Pinolator," was false and fraudulent in that it created the impression that the article when used as directed, would be effective in treating diseased conditions of those parts of the anatomy represented in the diagram; whereas it would not be effective for the said purposes when used as directed.

On March 18, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

29268. Misbranding of Ingersoll's Gall-Stone Pills and Ingersoll's Gall Stone Remedy and System Cleanser. U. S. v. Gidney A. Ingersoll (G. A. Ingersoll Remedy Co.). Plea of guilty. Fine, \$200. (F. & D. No. 39840. Sample Nos. 46363-C, 46364-C.)

The labeling of these products bore false and fraudulent curative and therapeutic claims.

On December 9, 1937, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Gidney A. Ingersoll, trading as G. A. Ingersoll Remedy Co., at Milwaukee, Wis., alleging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about May 31, 1937, from the State of Wisconsin into the State of New York, of quantities of Ingersoll's Gall-Stone Pills and Gall Stone Remedy and System Cleanser, which were misbranded. The articles were labeled in part: "G. A. Ingersoll Remedy Co. * * * Milwaukee, Wis."

Analyses showed that the Gall-Stone Pills contained phenolphthalein (0.64 grain per pill), small proportions of extracts of plant drugs, a salicylate, and menthol; and that the Gall Stone Remedy and System Cleanser was composed of a liquid medicine which consisted essentially of a fixed oil such as olive oil, sugar, and water, flavored with cinnamon oil; and of two powders, of which one consisted of a mixture of sodium bicarbonate and sodium tartrate, and the other consisted of tartaric acid.

The Gall-Stone Pills were alleged to be misbranded in that the labeling bore false and fraudulent curative and therapeutic representations that the article was effective in the treatment of conditions generally that arise from gallstones, that it was capable of keeping the bile duct clean, of stimulating the liver to secrete more bile, of destroying the "Hardere" substance in the gall duct, of keeping up a healthy activity of the bowels, and of curing appendix and stomach troubles; that it was effective to relieve and remedy the recurring pains occasioned by gallstones; that it was the only successful medical treatment for gallstone; that the best remedial results in the treatment of gallstone were attainable through use of the article as directed, that it would help to destroy hardened bile, would cause gallstone to pass off in the form of sand, and would prevent new stone from forming; that it was capable of causing the bile to be set to flowing as nature intended it should, of preventing the recurrence of gallstone, of acting on the gall duct so as to cause increase of the flow of bile and also to destroy the hardened substances in the duct which pass off without pain; and that use of the article would prevent the arising of those conditions that render operations for the removal of gallstone necessary.

The Gall Stone Remedy and System Cleanser was alleged to be misbranded in that its labeling bore false and fraudulent curative and therapeutic representations that its use in the treatment of gallstone and stomach trouble generally would afford a degree of relief without pain and would render an operation for relief therefrom unnecessary; that it was a remedy for gallstone, stomach trouble, indigestion, fainting spells, liver troubles, colic attacks, yellow jaundice, gas in the stomach, dizziness and appendicitis; that it was a cleanser of the system and capable of draining all the congestions of the alimentary tract without pain and with a soothing and healing effect; that it was a successful medical treatment for gallstones and the only such treatment; that it was capable of expelling hardened accumulations incident to gallstone without pain; and that by use of it an operation for the removal of gallstone could be avoided.

On May 20, 1938, a plea of guilty having been entered by the defendant, the court imposed a fine of \$200.

M. L. WILSON, *Acting Secretary of Agriculture.*

29269. Misbranding of Butler's Cod Liver Oil Ointment. U. S. v. 1,313 Sample Packages, 1,327 1-Ounce Packages, and 136 5-Ounce Packages of Butler's Cod Liver Oil Ointment. Default decree of condemnation and destruction. (F. & D. No. 40987. Sample No. 47276-C.)

The labeling of this product bore false and fraudulent curative and therapeutic claims.

On December 15, 1937, the United States attorney for the Eastern District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 2,776 packages of Butler's Cod Liver Oil Ointment at Chattanooga, Tenn.; alleging that the article had been shipped in interstate commerce on various dates between May 22, 1936, and July 13, 1937, from Cleveland, Ohio, by Strong, Cobb & Co., Inc.; and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Anedemin Chemical Company."

Analysis of a sample of the article showed that it consisted essentially of petrolatum and a fish oil.

The article was alleged to be misbranded in that the labels on the tubes of all sizes bore the following statements regarding its therapeutic and curative effects, which were false and fraudulent: "Of value in the treatment of burns, wounds, * * * cuts * * * ulcers, etc."; and in that the cartons and circulars shipped with the 1-ounce size bore, among others, false and fraudulent representations that it was effective in the treatment of blood poisoning, surgical incisions, various skin affections, acne, fistula, that it was effective in alleviating pain, reducing fever, controlling secondary infection, cleansing the wound and stimulating epithelization, and that it was effective to accelerate healing and with practically no scar.

On May 3, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

29270. Misbranding of Saxon Blackberry Cordial Compound. U. S. v. 147 Packages of Saxon Blackberry Cordial Compound. Default decree of condemnation and destruction. (F. & D. No. 42163. Sample No. 12425-D.)

The labeling of this product bore false and fraudulent curative and therapeutic claims.

On April 11, 1938, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 147 packages of the above-named drug product at Brooklyn, N. Y.; alleging that the article had been shipped in interstate commerce on or about May 12, 1937, and February 19, 1938, from Duquesne, Pa., by Royal Manufacturing Co. of Duquesne; and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: (Carton) "The Saxon Company Duquesne, Pa."; (bottle) "The Saxon Company Cleveland"; (bottle and wrapper) "For Diarrhoea, Summer Complaint, Cholera Morbus, Cramps, Colic and similar complaints. * * * In severe cases it can be taken every hour. After the condition has been relieved, a dose after each meal for a day or two should be taken."

Analysis showed that it consisted essentially of water, sugar, glycerin, and alcohol with small proportions of salicylic acid and extracts of plant materials including ginger.